IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2653 of 2007()

CMP.3926/2007 of J.M.F.C.-II,NEDUMANGAD

.....

(CR.NO.61/2007 OF NEDUMANGAD EXCISE RANGE)

PETITIONER:ACCUSED:

MOHANAN @ KUZHAKAIYYAN ,
S/O.CHELLAPPA PANICKER,ROADARIKATHU VEEDU,
MEMALA,KOTTAKKAKOM MURI,VITHURA VILLAGE,
NEDUMANGAD TALUK.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT:COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.A.SALIM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

B.A.No. 2653 of 2007

ORDER

This is an application for regular bail filed under Section 439 Cr.P.C.

2. The petitioner is the accused in C.R.No. 61/07 of Nedumangad Excise Range, registered for offences under Sections 8(1) and (2) of the Abkari Act, consequent on detection of possession by him 2.5 litres of arrack at about 6.15 p.m. on 13.4.2007. He is in custody from 13.4.2007 onwards. Considering the period of detention already undergone by the petitioner and the quantity of the contraband involved, I think the petitioner can be enlarged on bail imposing stringent conditions.

In the result, I grant bail to the petitioner on the following conditions:

(i) that the petitioner shall execute bail bond for Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of

the Magistrate concerned;

(ii) that on release the petitioner shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iii) that in the event of violation of the above conditions, the learned Magistrate, on being satisfied of the violation, shall be entitled to treat the bail as cancelled and to proceed against the petitioner and his sureties, according to law.

4th May, 2007 (K.P.Balachandran, Judge)

tkv